



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 15, 2021

BY ECF

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Ghislaine Maxwell, 20 Cr. 330 (AJN)*

Dear Judge Nathan:

The Government respectfully submits this letter in response to the Court's Order dated October 15, 2021 (Dkt. No. 348) ordering the Government to respond to the defendant's October 14, 2021 letter regarding delivery of the defendant's legal mail at the Metropolitan Detention Center ("MDC") (Dkt. No. 346).

The Government conferred with legal counsel at the MDC in response to the Court's Order and was informed of the following: As a general matter, legal mail from a defendant's counsel is delivered to the defendant within one business day of receipt at the MDC. Legal mail sent to a defendant from the Government via FedEx goes to the MDC's warehouse. Staff at the MDC's warehouse process and log the mail in a tracking system and then contact the relevant department—in this case, the legal department—about the mail. The legal department has to then go to the warehouse to retrieve the mail, log the mail, assign the mail an internal number for tracking purposes, and fill out a form authorizing the delivery of the mail to the inmate before delivering the mail to the inmate.

Legal counsel at the MDC has explained to the Government that these are the MDC's

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standard procedures for legal mail, and these protocols apply to each one of the approximately 1,700 inmates at the MDC. Legal counsel at the MDC has further explained that defense counsel's request that the MDC be ordered to provide the defendant with all legal mail within one day of receipt by the MDC would be extremely burdensome and is not practicable in light of the various responsibilities of the MDC's legal department, which is responsible for issues relating to the approximately 1,700 inmates at the MDC. The Government respectfully submits that there are no circumstances that merit special expedited delivery for this defendant, and that the delivery of the defendant's mail should not receive priority over the services the legal department's staff provides to other inmates.

As noted in the defense's letter, the Government sent a hard drive containing Court-ordered disclosures to the defendant via FedEx on October 11, 2021. The hard drive was received by the MDC on October 12, 2021. Legal counsel at the MDC informed the Government that there was an institutional emergency impacting the safety and security of the MDC on October 13, 2021, such that no inmate at the MDC received any legal mail from the warehouse that day. On the morning of October 14, 2021, legal counsel at the MDC personally delivered the hard drive to the defendant.

The Government has made best efforts to obtain accurate information and respond to the Court's Order within a short time frame. Should the Court have any questions or require any additional details regarding this topic, the Government will confer with legal counsel at the MDC and provide additional information.

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Respectfully submitted,

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Cc: Defense Counsel (By ECF)